

Kyoto Seminar on International Investment Law - Panelists' Profiles

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List of Panelists (in alphabetical order)

- Abe, Yoshinori: Professor, Gakushuin University
- Fukunaga, Yuka: Professor, Waseda University
- Hamamoto, Shotaro: Professor, Kyoto University
- Iguchi, Naoki: Partner, Nagashima Ohno & Tsunematsu
- Ishikawa, Tomoko: Assistant Professor, Waseda University
- Markert, Lars: Attorney, Nishimura & Asahi; Gleiss Lutz
- Mizushima, Tomonori: Professor, Nagoya University
- Nakamura, Kazuhiko: Director, Economic Treaty Division, MOFA
- Ohara, Yoshimi: Partner, Nagashima Ohno & Tsunematsu
- Sassòli, Marco: Professor, University of Geneva
- Takahashi, Naoki: Deputy Director, METI
- Tamada, Dai: Associate Professor, Kobe University
- Whittaker, Janet M.: Counsel, Simpson Thatcher & Bartlett LLP
- Ziegler, Andreas: Professor, University of Lausanne

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Yoshinori Abe is Professor of the Faculty of Law at Gakushuin University, Japan. He obtained B.A. and M.A. from the University of Tokyo, and LL.M. from the University of Cambridge. From 2007 to 2008, he was a visiting fellow at the Lauterpacht Centre for International Law, Cambridge. From 2008, Professor Abe has served concurrently as a Researcher at the WTO Dispute Settlement Division of the Ministry of Foreign Affairs. His major research field is WTO law and international investment law. He is a Council Member of the Japan Association of International Economic Law and a member of the Japanese Society of International Law.

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Yuka Fukunaga is Professor of International Economic Law, Waseda University. She has published a number of articles in books and journals including the Journal of International

Economic Law and the Journal of World Trade. She has also presented papers in major conferences including the Inaugural Conference of the Society of International Economic Law and an annual meeting of the American Society of International Law. Attorney-at-law in New York; former Associate Legal Counsel, Permanent Court of Arbitration; former Intern, WTO Appellate Body Secretariat; former Visiting Fellow, Graduate Institute of International and Development Studies; former Visiting Professorial Fellow, Georgetown Law Center. LL.D., LL.M., Graduate Schools for Law and Politics, University of Tokyo, LL.M., School of Law, University of California, Berkeley, sponsored by Fulbright scholarship. She has recently published a book, titled “Securing Compliance with International Economic Agreements and Dispute Settlement: The Role and Limits of the WTO Dispute Settlement and Investment Arbitration.”

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Naoki Iguchi is a partner of international projects and arbitration practice team of Nagashima Ohno & Tsunematsu. He has been advising construction companies, investment companies and infrastructure management companies in construction, transportation, crude oil pipeline and other infrastructure projects in various jurisdictions. He has also represented many companies in international arbitration in Asian regions. He is country representative of Japan, Dispute Resolution Board Foundation (DRBF) and regular workshop lecturer of the Overseas Construction Association of Japan, Inc. (OCAJI). He also teaches “international project law” at Keio Law School. He studied at University of Tokyo (LL.B; LL.M.), Stanford Law School (LL.M.) and Beijing Language University (Mandarin Training) and worked at law firms in Japan,

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Tomoko Ishikawa is an Assistant Professor at the Waseda Institute for Advanced Study in Japan and a qualified Japanese lawyer. She received an LL.M. from the University of Tokyo, a second LL.M. from the University of Cambridge, and earned her PhD in public international law from University College London.

Her professional experiences include serving as a Judge at Tokyo District Court and holding the position of Deputy Director at the International Legal Affairs Bureau of the Ministry of Foreign Affairs of Japan, where she worked on investment treaties, Free Trade Agreements and WTO dispute settlement. Her publications include: “Collective Action Clauses in Sovereign Bond Contracts and Investment Treaty Arbitration”, *Accounting, Economics and Law: A Convivium* (2013); and “Third Party Participation in Investment Treaty Arbitration”, *International and Comparative Law Quarterly*, (2010).

Her current research interests include international economic law, international arbitration, treaty interpretation, international environmental law and law on state immunity.

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Lars advises on international arbitration and cross-border litigation, with an emphasis on investor-state arbitration and Asia. His practice also includes advice on trans-border corporate law issues.

Lars studied at the Universities of Würzburg, Aix-en-Provence/France (Maîtrise en Droit 1999), Washington, D.C. (Georgetown, LL.M. 2006) and Cologne (PhD 2009). He was admitted in 2004 and has been with Gleiss Lutz since 2009.

Lars was admitted in 2007 in the federal state of New York and worked from 2006–2007 at a law firm in New York. Since November 2012 he has been on a long-term secondment to Nishimura & Asahi’s Tokyo office.

Lars lectures at the University of Speyer (since fall term 2008/2009) the University of Cologne (since 2011), and Rikkyo University (summer 2014). He is on the panel of arbitrators of the Korean Commercial Arbitration Board (KCAB), an academic advisor to the International

Investment Law Centre Cologne (IILCC), a Global Advisory Board member of the ICDR Y&I and regularly speaks and publishes on issues of investment law and arbitration.

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Professor of Public International Law, Graduate School of Law, Nagoya University; LL.D. (Kyoto University, 2008). His recent publications include *Public International Law Aspects of Foreign State Immunity* (The University of Nagoya Press, 2012, in Japanese), ‘The Significance of the Recent Enactment of Japan’s Sovereign Immunity Act in the New Age of Globalization’, A. Byrnes *et al* (eds), *International Law in the New Age of Globalization*, pp 367-387 (Martinus Nijhoff Publishers, 2013) and ‘Case Report: Korean Film Export & Import Corp. v. Fuji Television Network, Inc., Supreme Court of Japan, December 8, 2011’, *American Journal of International Law*, Vol 107, No 3, pp 627-631 (2013). One of his forthcoming works is ‘The Role of the State after an Award Is Rendered in Investor-State Arbitration’, which will appear in S. Lalani and R. Polanco (eds), *The Role of the State in Investor-State Arbitration* (Brill, forthcoming).

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Kazuhiko Nakamura is the Director, Economic Treaties Division, International Legal Affairs Bureau of the Ministry of Foreign Affairs of Japan. He passed the examination for the recruitment of diplomatic civil servants (Category I) in 1991 and quit the Faculty of Law of the University of Tokyo in 1992 to join the Ministry. He obtained the *Diplôme International d’Administration Publique* of the *Ecole Nationale d’Administration* (France) in 1994. Since then his assignments include; Deputy Director, International Agreements Division, Treaties Bureau (2001-2004), Principal Deputy Director, Treaties Division, Treaties Bureau (2004-2005), Principal Deputy Director, Russian Division, European Affairs Bureau (2005-2007), Counsellor, Embassy of Japan in the Republic of Korea (2007-2010). Seconded to the Cabinet Legislation Bureau as the Counsellor (2007-2010).

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Partner at Nagashima Ohno & Tsunematsu, Tokyo office. With strong IP and corporate background Ms. Ohara’s practice focuses on international arbitration, serving both as an advocate and arbitrator. She is particularly experienced in disputes related to joint ventures, M&A, distribution, sales, shipping, construction, technology, and intellectual property license. She is currently a vice president of the LCIA and a member of the IBA conflicts of interest subcommittee.

She was actively involved in crafting the IBA Guidelines on Party Representation in International Arbitration as a member of the IBA Task Force on professional conduct of counsel in international arbitration.

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Marco Sassòli, is professor of international law and Director of the Department of international law and international organization at the University of Geneva. He is commissioner of the International Commission of Jurists' (ICJ). From 2001-2003, he has taught at the Université du Québec à Montréal, Canada, where he remains associate professor.

From 1985-1997 he has worked for the International Committee of the Red Cross (ICRC), inter alia as deputy head of its legal division, as head of the ICRC delegations in Jordan and Syria, and as protection coordinator for the former Yugoslavia. During a sabbatical leave in 2011, he joined again the ICRC, as legal adviser to its delegation in Islamabad. He has also served as registrar at the Swiss Supreme Court, and from 2004-2013, as chair of the board of Geneva Call, an NGO engaging non-State armed actors to respect humanitarian rules.

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Naoki Takahashi is a Deputy Director (in charge of investment and competition), Economic Partnership Division, Trade Policy Bureau, Ministry of Economy Trade and Industry. He graduated from the School of Law, Kyoto University (Bachelor of Laws (LL.B.) in 2005 and Juris Doctor (J.D.) in 2007). He passed the bar examination and was admitted to the Japan bar in 2008. He worked at Paul Hastings Gaikokuho Kyodo Jigyo (2008-2009) and Kojima Law Offices (2009-2013). He was a lecturer of University of Tsukuba Law School (2009-2013). He is a member of the Japan Association of Arbitrators.

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His research focuses on the international dispute settlement, in particular the procedure of international courts and tribunals including investment arbitration. His recent publication includes Legal Effects of International Courts' Judgments (Tokyo, Yuhikaku, 2012, 242pp. in Japanese).

He works with Japanese governmental research institutions and participates in research projects in METI (Ministry of Economy, Trade and Industry) and RIETI (The Research Institute of

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Janet Whittaker is Counsel at Simpson Thacher & Bartlett LLP where her practice focuses on international arbitration and litigation. She acts as counsel in commercial and investment treaty arbitrations under the major arbitration rules and ad hoc. She also advises on issues arising under treaties and customary international law.

Ms. Whittaker previously served as Legal Counsel at the International Centre for Settlement of Investment Disputes. In this role, she worked on cases brought under investment treaties and national investment laws involving investments in Asia, Latin America and North America.

Ms. Whittaker holds an LL.B. in Law and Italian Law from University College London, an LL.M. in European Law from the College of Europe and an LL.M. from Columbia Law School, where she was a James Kent and a Fulbright Scholar. She has taught International Arbitration at Stanford Law School and European Law at University College London.

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Andreas R. Ziegler studied economics, international relations and law at the Universities of St. Gallen, Switzerland (BA, MA, BLaw, MLaw, PhD), Madrid (Escuela Diplomatica), Paris (SciencesPo), Florence (LL.M, European University Institute), Oxford and London (SOAS). He was a civil servant working for several Swiss Ministries in Berne as well as the EFTA Secretariat in Geneva and the European Commission in Brussels before being appointed full professor of law at the University of Lausanne in 2003. He currently is the Director of its LLM Program in International and European Economic and Commercial Law. He has represented clients in arbitral proceedings (UNCITRAL Arbitration Rules) and before the Swiss Federal Supreme Court and the European Court of Human Rights and is counsel with a law firm specialized in economic and business law (Blum & Grob Attorneys-at-law, Zurich). He is on the permanent roster of panelists of the WTO and ICSID.